

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

MARCIA C. SMITH

Plaintiff(s),

v.

I.C. SYSTEMS, INC.

Defendant(s).

Case No. 3:19-CV-50313

Magistrate Judge Lisa A. Jensen

JOINT INITIAL STATUS REPORT

The parties submit this joint initial status report in advance of the initial status hearing set for January 27, 2020 .

All parties who have appeared shall join in the filing of this initial status report. An initial status report must still be filed even if filed unilaterally.

1. Nature of the Case Including Legal Issues, Factual Issues, and Affirmative Defenses.

For claims by or against only some parties, identify which.

Plaintiff brings this action seeking redress for Defendant's violations of the Fair Debt collection Practices Act and the Telephone Consumer Protection Act. Plaintiff states that Defendant systematically placing repeated and continuously calling utilizing an Automated Telephone Dialing System after Plaintiff notified Defendant to cease calling.

Defendant denies any violation of either the FDCPA or the TCPA. Defendant did not receive notice from Plaintiff to cease calling. Defendant did not repeatedly and continuously call Plaintiff. Defendant did not call Plaintiff using an ATDS. Finally, all calls to the number ending in 7441 were made with prior express consent.

2. Parties and Service

Identify each individual plaintiff:

Marcia C. Smith

Plaintiff

Identify each individual defendant and the status of service. If more space is needed, attach additional pages to the end of this report.

Defendant	Date Served	Date Appeared	Answer Due or Date Answered
I.C. Systems, Inc.	12/03/19	01/03/20	12/24/19

For each defendant not served, describe the efforts to serve that defendant. If more space is needed, attach additional pages to the end of this report.

Defendant	Efforts to Serve
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List any potential party the defendant(s) may seek to add as a third-party defendant.

Third-Party Defendant	Basis of Liability
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3. Status of Settlement Discussions and the Potential for Settlement

The parties are open to an early resolution and are engaged in settlement discussions.

4. Identify any Parallel Cases (including but not limited to possible MDL litigation, underlying criminal proceedings, or related litigation).

Case Name	Case #	Court	Nature of Proceeding
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5. Identify all Pending or Anticipated Motions

Motion (including docket number if already filed)	Date Filed or Anticipated
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6. Discovery

During the initial status hearing the Court will likely set a deadline for submitting a proposed case management order at a later date. To help guide that discussion, the parties shall provide their best estimates formed after reasonable investigation and inquiry of the amount and scope of discovery in response to the following questions:

The plaintiff(s) anticipate(s) taking about 2 depositions of fact witnesses.

For claims involving medical conditions, the plaintiff has about treaters who are either (check one) ☐ all located in or near the Rockford/Chicago areas, or ☐ includes treaters located outside the Rockford and Chicago areas such as .

The plaintiff(s) (check one) ☒ anticipate(s) using about 1 retained expert witnesses, or ☐ do(es) not anticipate retaining expert witnesses.

The defendant(s) anticipate(s) taking about 1 depositions of fact witnesses. That number does not include any of the depositions the plaintiff(s) anticipate(s).

The defendant(s) (check one) ☒ anticipate(s) using about 1 retained expert witnesses, or ☐ do(es) not anticipate retaining expert witnesses.

The parties anticipate that fact discovery (which includes treating physician depositions) will take about 6 months.

7. Consent to the Magistrate Judge

(Must check one)

- ☐ All parties have appeared and will file a written consent to proceed before the Magistrate Judge for all purposes.
- ☒ Not all parties will consent to proceed before the Magistrate Judge.

PLAINTIFF(S)

Marcia C. Smith

DEFENDANT(S)

I.C. Systems, Inc.

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